

**REMARKS**

Reconsideration and allowance of presently solicited Claims 1 to 7 and 33 respectfully are requested. For the reasons indicated hereafter these claims are urged to be in condition for allowance.

The withdrawal of the formal rejections under 35 U.S.C. § 112 is noted with appreciation.

The continued rejection of presently solicited Claims 1 to 6 under 35 U.S.C. § 103(a) is being unpatentable over the different teachings of U.S. Patent 6,339,184 to Smith would be inappropriate. Deficiencies of the Smith teachings were identified in Applicant's submission of November 14, 2005.


In an effort to expedite prosecution independent Claim 1 has been amended to specify "in the absence of induced mutagenesis". The concept of Applicant's contribution is neither disclosed nor remotely suggested by Smith. The withdrawal of the rejection is urged to be in order and is respectfully requested.

If there is any remaining point that requires clarification prior to the allowance of the Application, the Examiner is urged to telephone the undersigned attorney so that the matter can be discussed and resolved.

Respectfully submitted,

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Date: February 27, 2006

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